

## CCRB INVESTIGATIVE RECOMMENDATION

|  |  |  |   |   |                                 |
|--|--|--|---|---|---------------------------------|
| Investigator:<br>William MacLure                 | Team:<br>Squad #6                                    | CCRB Case #:<br>201800370                  | <input type="checkbox"/> Force                        | <input checked="" type="checkbox"/> Discourt. | <input type="checkbox"/> U.S.   |
|  |  |  | <input checked="" type="checkbox"/> Abuse             | <input type="checkbox"/> O.L.                 | <input type="checkbox"/> Injury |
| Incident Date(s)<br>Sunday, 01/14/2018 1:50 PM   | Location of Incident:<br>Avenue H and East 56 Street | Precinct:<br>63                            | 18 Mo. SOL<br>7/14/2019                               | EO SOL<br>7/14/2019                           |                                 |
| Date/Time CV Reported<br>Sun, 01/14/2018 5:22 PM | CV Reported At:<br>CCRB                              | How CV Reported:<br>Call Processing System | Date/Time Received at CCRB<br>Sun, 01/14/2018 5:22 PM |   |                                 |

| Complainant/Victim | Type | Home Address |
|--------------------|------|--------------|
|                    |      |              |

| Witness(es) | Home Address |
|-------------|--------------|
|             |              |

| Subject Officer(s) | Shield | TaxID  | Command |
|--------------------|--------|--------|---------|
| 1. POF Rachel Ford | 21365  | 943248 | 063 PCT |

| Witness Officer(s)  | Shield No | Tax No | Cmd Name |
|---------------------|-----------|--------|----------|
| 1. POF Dina Soliman | 20634     | 959260 | 063 PCT  |

| Officer(s)        | Allegation  | Investigator Recommendation |
|-------------------|---|-----------------------------|
| A.POF Rachel Ford | Abuse: Police Officer Rachel Ford threatened to arrest § 87(2)(b)                             |                             |
| B.POF Rachel Ford | Discourtesy: Police Officer Rachel Ford acted discourteously toward § 87(2)(b)                |                             |
| C.POF Rachel Ford | Abuse: Police Officer Rachel Ford refused to provide her name and shield number to § 87(2)(b) |                             |
| D.POF Rachel Ford | Abuse: Police Officer Rachel Ford stopped the vehicle in which § 87(2)(b) was an occupant.    |                             |

## Case Summary

On January 14, 2018, § 87(2)(b) filed this complaint with the CCRB using the call processing system.

On January 14, 2018, at approximately 1:50 p.m., § 87(2)(b) drove to East 56<sup>th</sup> Street and Avenue H, where she lives. After parking and exiting her vehicle, PO Rachel Ford and PO Dina Soliman of the 63<sup>rd</sup> Precinct parked in front of § 87(2)(b)'s vehicle. PO Ford asked § 87(2)(b) for her license and registration. When § 87(2)(b) asked PO Ford why, PO Ford told § 87(2)(b) that she could arrest her if she did not provide the documents (**Allegation A: Abuse of Authority**, § 87(2)(g)). PO Ford told § 87(2)(b) that she had been trying to pull her for several minutes. § 87(2)(b) told PO Ford that she did not see any lights or hear any sirens. § 87(2)(b) provided her license and registration to PO Ford. PO Ford went back to the police vehicle. PO Soliman wrote two summonses for § 87(2)(b) for disobeying a traffic device and for failure to comply with a lawful order (Board Reviews 07 and 08). PO Ford returned to § 87(2)(b)'s vehicle and "slapped" the summonses on § 87(2)(b)'s dashboard (**Allegation B: Discourtesy**, § 87(2)(g)). § 87(2)(b) asked PO Ford for her name and shield number, which PO Ford said she did not have to provide (**Allegation C: Abuse of Authority**, § 87(2)(g)). § 87(2)(b) began to drive back to Utica Avenue and Avenue H to see if she had disobeyed a traffic sign, as PO Ford had stated. PO Ford turned her on her turret lights and § 87(2)(b) pulled over (**Allegation D: Abuse of Authority**, § 87(2)(g)). When PO Ford approached § 87(2)(b)'s vehicle, she said that § 87(2)(b) did not see the lights the first time, and then drove away.

There was no video footage of this incident.

## Findings and Recommendations

### **Allegation (A) Abuse of Authority: Police Officer Rachel Ford threatened to arrest § 87(2)(b)**

It is undisputed that § 87(2)(b) made an illegal left turn at the intersection of Utica Avenue and Avenue H, in Brooklyn.

§ 87(2)(b) was interviewed at the CCRB on January 24, 2018 (Board Review 01). On January 14, 2018, at approximately 1:50 p.m., PO Ford and PO Soliman stopped § 87(2)(b) in the vicinity of Avenue H and East 56<sup>th</sup> Street, in Brooklyn. PO Ford asked § 87(2)(b) for her license and registration twice, and both times § 87(2)(b) asked PO Ford why she needed to provide these documents. PO Ford told § 87(2)(b) that she could be placed under arrest if she did not provide her license and registration. § 87(2)(b) provided her documents to PO Ford after PO Ford informed her that she could be arrested. PO Ford went back to the police vehicle with § 87(2)(b)'s documents.

PO Ford was interviewed at the CCRB on April 24, 2018 (Board Review 02). After trying to pull § 87(2)(b) over for five or six blocks, PO Ford stopped § 87(2)(b) in the vicinity of Avenue H and East 56<sup>th</sup> Street, in Brooklyn. PO Ford asked § 87(2)(b) for her license, registration, and insurance. § 87(2)(b)'s window was still up, so PO Ford signaled with her hand for § 87(2)(b) to roll her window down. After approximately one or two minutes, § 87(2)(b) rolled her window down an inch and PO Ford asked again for her documents. § 87(2)(b) told PO Ford she did not understand why she was being pulled over and refused to provide her documents to PO Ford. After asking § 87(2)(b) for her documents approximately four or five



§ 87(2)(g)

**Allegation (C) Abuse of Authority: Police Officer Rachel Ford refused to provide her name and shield number to § 87(2)(b)**

§ 87(2)(b) (Board Review 01) exited her vehicle, asked PO Ford why she received two summonses, and requested PO Ford's name and shield number. PO Ford responded, "I don't have to give you anything."

PO Ford (Board Review 02) walked back to the police vehicle after placing the summonses on § 87(2)(b)'s dashboard. § 87(2)(b) exited her vehicle and yelled at PO Ford asking regarding the issuance of the summonses. PO Ford explained again what the summonses were for and then § 87(2)(b) got back into her vehicle. § 87(2)(b) never requested PO Ford's name or shield number.

PO Soliman's testimony (Board Review 03) was consistent with PO Ford's testimony.

§ 87(2)(g)

**Allegation (D) Abuse of Authority: Police Officer Rachel Ford stopped the vehicle in which § 87(2)(b) was an occupant.**

§ 87(2)(b) (Board Review 01) began to drive back to the intersection of Utica Avenue and Avenue H to confirm that there was a sign prohibiting left turns. § 87(2)(b) was driving behind PO Ford and PO Soliman, but PO Ford pulled to the side on Avenue H, allowing § 87(2)(b) to drive ahead. Once PO Ford was behind § 87(2)(b) PO Ford activated her police lights. Somewhere on Avenue H between Utica Avenue and East 56<sup>th</sup> Street, § 87(2)(b) stopped and exited her vehicle. PO Ford stated, "Oh, you didn't see my lights or sirens the first time," and then left without issuing § 87(2)(b) an additional summons.

PO Ford (Board Review 02) and PO Soliman got back into the police vehicle after PO Ford issued the summonses to § 87(2)(b). § 87(2)(b) drove away on Avenue H before PO Ford and PO Soliman. PO Ford turned around and started driving on Avenue H back to Utica Avenue, so she and PO Soliman could continue observing traffic at the intersection. PO Ford was driving behind § 87(2)(b) on Avenue H. § 87(2)(b) did not make any traffic infractions after being issued the summonses. PO Ford never turned her lights or sirens on again and never intended to stop § 87(2)(b) again after issuing her the summonses. § 87(2)(b) stopped her vehicle on Avenue H, somewhere between East 52<sup>nd</sup> Street and East 54<sup>th</sup> Street. § 87(2)(b) exited her vehicle, stood by her driver side, and began yelling at the officers asking why she was being stopped. PO Soliman got onto the loud speaker and instructed § 87(2)(b) to get back into her vehicle. § 87(2)(b) complied. PO Ford had no further interaction with § 87(2)(b). PO Ford never told § 87(2)(b) "Oh, you didn't see my lights and sirens the first time."

PO Soliman's testimony (Board Review 03) was consistent with PO Ford's testimony.

§ 87(2)(g)

### **Civilian and Officer CCRB Histories**

- This was § 87(2)(b)'s first complaint with the CCRB (Board Review 06).
- PO Ford has five allegations stemming from two complaints, including this complaint, over her 11 year tenure with the NYPD. PO Ford's one prior allegation was a threat of arrest and it was not substantiated.

### **Mediation, Civil and Criminal Histories**

- § 87(2)(b) accepted mediation, but PO Ford rejected mediation. This case was with the CCRB Mediation Unit from February 15, 2018, to March 27, 2018.
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

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Squad No.: \_\_\_\_\_

Investigator: \_\_\_\_\_

|           |                    |      |
|-----------|--------------------|------|
| Signature | Print Title & Name | Date |
|-----------|--------------------|------|

Squad Leader: \_\_\_\_\_

|           |                    |      |
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| Signature | Print Title & Name | Date |
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Reviewer: \_\_\_\_\_

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| Signature | Print Title & Name | Date |
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